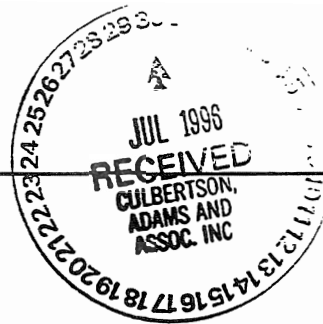


## **Appendix D**

### **Service Letters**



Mayor  
Richard T. Dixon

Mayor Pro Tem  
Helen Wilson

Council Members  
Peter Herzog  
Kathryn McCullough  
Ann Van Haun

City Manager  
Robert C. Dunek

City Clerk  
Jeri L. Stately

July 29, 1996

M. Andriette Culbertson, President  
Culbertson, Adams & Associates, Inc.  
85 Argonaut, Suite 220  
Aliso Viejo, CA 92656

SUBJECT: SERVICE AVAILABILITY INFORMATION RESPONSE

Dear Ms. Culbertson:

I am pleased to respond to the questions you mailed to Police Services regarding service availability in Lake Forest. In reviewing the information, it is apparent that most of the questions refer to a "project area" which is not clearly defined. It is our assumption that the project area includes the areas closest and most impacted by the proposed jail operations. Therefore, we have assumed the project area to include all areas within a 1 mile radius of the Musick Jail property.

1. The City of Lake Forest lies immediately adjacent to a small portion of the southern boundary of the project site which borders Bake Parkway. Lake Forest Police Services patrols the City by altering beats depending on the day of the week and time of day. No special considerations are currently made for patrolling the area of the City nearest the Musick facility and patrol units from the City of Lake Forest do not respond to routine calls to the Musick Facility. Response times throughout the City are generally five (5) minutes or less for a high priority and twenty (20) minutes or less for a call of lesser priority.

Based on the information provided in the Notice of Preparation (NOP), it is anticipated that additional patrol units will be required to patrol the area in Lake Forest closest to the Musick facility in order to handle the increase in traffic and safety concerns.

2. Lake Forest Police Services does not service the project site. One deputy each shift per day, 24 hours a day, patrols the area of Lake Forest adjacent to Musick.



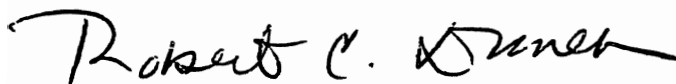
23778 Mercury Road  
Lake Forest, CA 92630  
(714) 707-5583  
FAX (714) 707-5723

Based on the information provided in the NOP, additional personnel will likely be required to patrol the City of Lake Forest adequately.

3. Statistical records for the City of Lake Forest are maintained at the Sheriff's main office in Santa Ana.
4. The City of Lake Forest has an extensive, comprehensive community policing program which includes crime prevention and neighborhood watch. It is anticipated that these programs would need to be expanded in the areas adjacent to the Musick facility prior to the expansion project.
5. The City of Lake Forest contracts with the Orange County Sheriffs Department for law enforcement services. Dedicated personnel, including two Community Support Officers and a Crime Prevention Specialist coordinate the City's community policing programs. Police services is funded through the City's General Fund.
6. N/A
7. Yes. Based on the information provided in the NOP, additional personnel will likely be required to patrol the City of Lake Forest adequately.
8. Yes. Adding personnel to address the potential impacts of the Musick expansion will require a reduction in spending in other areas.

We appreciate the opportunity to provide comments on service availability for this project. If you have any questions or need additional information, please let me know.

Sincerely,  
CITY OF LAKE FOREST



Robert C. Dunek  
City Manager



# LOS ALISOS WATER DISTRICT

---

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Preston T. Bishop  
President

James D. Reed  
Vice President

Harry C. Johnson  
Director

Roy E. Farmer  
Director

Williams J. Goodwin  
Director

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Kenneth J. Petersen, PE  
General Manager/District Engineer

Don R. Adkinson  
Legal Counsel/Secretary

Allen R. Smith  
Treasurer

July 8, 1996

Ms. M. Andriette Culbertson  
President  
Culbertson, Adams & Associates, Inc.  
85 Argonaut, Suite 220  
Aliso Viejo, California 92656

Reference: Service Availability / Capacity Information Request  
James A. Musick Jail Facility Expansion

Ms. Culbertson:

We have received your request for information regarding the Los Alisos Water District's (LAWD) capacity to provide water and sewer service to the James A. Musick Jail Facility.

This facility is within the district boundaries of the Irvine Ranch Water District (IRWD). The water, sewer, and reclaimed water needs of the James A. Musick Jail Facility Expansion should be provided through IRWD.

Sincerely,

LOS ALISOS WATER DISTRICT

Paul Cook, P.E.  
Civil Engineer



# IRVINE POLICE DEPARTMENT

*"In Partnership with the Community"*

CHARLES S. BROBECK  
CHIEF OF POLICE

August 6, 1996

M. Andriette Culbertson  
Culbertson, Adams & Associates  
85 Argonaut, Suite 220  
Aliso Viejo, CA 92656

Dear Ms. Culbertson:

The following information is provided in response to your request to complete the Environmental Impact Report for the proposed James A. Musick Jail Expansion:

1. The Irvine Police Department provides all services normally associated with public safety including patrols, investigations, crime analysis, crime prevention, K-9 unit, SWAT, crime scene investigations, Drug Abuse Resistance Education, and traffic enforcement. The department also has access to helicopter services if needed. The Department currently has one substation at the Irvine Entertainment Center which is not staffed. All calls for service originate from the Police Department which is located approximately seven miles from the projected site. The response guidelines for calls are as follows:
  - a. Priority E (Emergency) calls within 6 minutes 85% of the time.
  - b. Priority I (Crimes In Progress) events within 10 minutes 85% of the time.
  - c. Priority II (Less Serious Crimes Occurring Now) events within 20 minutes 90% of the time.
2. In general there are six patrol units assigned to that location per 24-hour basis working three separate shifts.
3. The department maintains a full-range crime prevention unit which provides Neighborhood Watch, Home Security Inspections, Business Watch, Business

Security Inspections, Educational Programs on personal safety, office safety, workplace violence reduction, anti-robbery techniques, retail theft, date, rape, Operation ID, Passport for Safety, etc.

4. The Crime Prevention unit is staffed by full-time, part-time, and job share employees, and augmented by an active volunteer force. The funding for these programs are provided by the Police Department general fund.
5. At present, there are no plans to expand the Irvine Police Department's facilities, however, the department is expected to hire an additional sixteen sworn police officers by the year 2000.
6. This project is not expected to impact the normal services provided by the Irvine Police Department because the project falls within the Sheriff's purview. To that end, no mitigating measures are necessary at present.

A cursory review of crime statistics in the projected site area have not yielded any significant problems either associated with the facility or the inmates' visitors. If you have any additional concerns, please do not hesitate to call Lieutenant White at (714)724-7055.

Sincerely,

CHARLES S. BROBECK  
Director of Public Safety



JIM BLAYLOCK  
Commander



## ORANGE COUNTY FIRE AUTHORITY

180 South Water St. • Orange, CA 92666-2175 • (714) 744-0400

Larry J. Holms, Director of Fire Services

July 24, 1996

M. Andriette Culbertson  
Culbertson, Adams & Associates, Inc.  
85 Argonaut, Suite 220  
Aliso Viejo, CA 92656

RE: **Service Availability/Capacity Information Request -  
Environmental Impact Report for James A. Musick Jail Expansion**

Dear Ms. Culbertson:

The following information is provided in response to your request:

1. What types of service do you provide to the project area?

The Orange County Fire Authority (OCFA) provides structural and wildland fire protection as well as basic and advanced life support service to the project area.

2. Where are the locations of the facilities, distances, and response time (if applicable) to the project area and project site?

The locations of the three nearest fire stations to the existing front gate of the project area (in order of response to site) is as follows (all response times estimated based on emergency driving rate of 30 mph):

- a. Sta. 38 - 26 Parker, Irvine. Approximately 1 mile; estimated response time of 2 minutes.
  - b. El Toro Marine Corp Engine 3 (automatic aid). Approximately 1.5 miles; estimated response time of 3 minutes. This engine will not be available when the base closes.
  - c. Sta. 19 - 23022 El Toro Rd, Lake Forest. Approximately 3 miles; estimated response time of 6 minutes.
3. What is the available capacity for the facilities in the project area or project site?

Question not applicable to fire services (per clarification during telephone call on 7/24).

4. Are there any current facility or service expansion plans for the project area and/or project site?

The OCFA continues to look for a permanent facility/location for our fire station located on Parker. This station is temporary and consists of a trailer and weather protection for the fire engine and paramedic van.

5. Will the project negatively impact any current facility or service expansion plans for the project area and/or project site?

Yes, due to traffic and increased response demands. As stated above, the OCFA continues to look for a permanent facility/location for our fire station located on Parker. This station is temporary and consists of a trailer and weather protection for the fire engine and paramedic van. The station was located on Parker to serve adjacent light industrial community; a large facility housing 8,000 inmates was not a consideration during placement and staffing of this station.

6. Will the project negatively impact current services?

The proposed increase from 1200 minimum security to 7680 maximum security inmates will increase the demand for emergency medical services. The increase in inmates will also increase the number of support staff, visitors and deliveries and will have on-site traffic impacts which will affect OCFA's service delivery.

The addition of permanent buildings will also increase the need for fire protection services including: structural firefighting, potential false alarm responses and fire prevention/inspection services.

7. Will the project necessitate additional facilities or staff? If so, please describe what additional facilities (including size and location) and/or staff that would be needed.

Yes, however further information/analysis is required to provide detailed information. The OCFA continues to look for a permanent facility/location for our fire station located on Parker. This station is temporary and consists of a trailer and weather protection for the fire engine and paramedic van.



Ms. Culbertson  
July 24, 1996  
Page 3 of 3

8. Are there any foreseeable problems in serving the entire project?

Potential problems include:

- a. Fire protection water distribution system (fireflow and pressure requirements).
- b. Facility layout as related to emergency access. The type of construction and the requirement for fire sprinklers in all buildings will assist in mitigating any problems.
- c. Impact on service delivery to the site from OCFA's temporary fire station.
- d. Impact on service delivery to adjacent areas due to increased service demand to site and additional traffic generated by project.

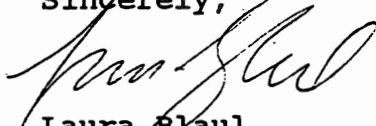
9. Are there any foreseeable constraints in service in terms of phasing?

We will need further information regarding phasing (site and building access, number of structures and occupancy in each phase, etc.) to fully answer this question.

Emergency access, in accordance with OCFA specifications, must be maintained to within 150' of all structures and shall be clearly identified. In addition, fire protection water, as approved by OCFA, must be provided for all structures and at designated intervals along all interior streets/roads.

I have also attached a copy of our comments on the Notice of Preparation for the Environmental Impact Report. If you have any questions or need more information, please contact me at (714) 744-0485.

Sincerely,



Laura Blaul  
Deputy Fire Marshal

002179



## **Irvine Unified School District**

5050 Barranca Parkway, Irvine, CA 92714-4698, 714/651-0444, FAX 714/552-8661

July 29, 1996

Ms. M. Andriette Culbertson  
President  
Culbertson, Adams & Associates  
85 Argonaut, Suite 220  
Aliso Viejo, CA 92656

**Re: Musick Jail Expansion Request for Information to Your Dated June 26, 1996 Letter Regarding Service Availability/Capacity**

Dear Ms. Culbertson:

Thank you for the opportunity to assist in the process of preparing an Environmental Impact Report for the proposed James A. Musick Jail Expansion. We have prepared an initial response to your dated June 26, 1996 letter. It is our understanding that the proposed expansion of the existing Musick facility's inmate capacity is proposed to expand from 1,581 to 7,574 within the 100 acres site. This expansion is proposed to include three (3) additional buildings. In addition to the information you requested, the Irvine Unified School District (IUSD) would also appreciate your consideration of the following information.

Per your July 17, 1996 telephone conversation with Tabitha Lam, of our staff, IUSD understands that a building permit must not be obtained for the Musick Expansion as it is a county government project. Consequently, the Project is exempt from IUSD's school facilities fees because of its governmental status, and IUSD will not seek to levy such a fee.

As discussed in section 1 of the attached School Facilities Fee Report (adopted by the IUSD Board of Education on August 30, 1994), the Project may result in the relocation of employees of the facility into Irvine, potentially contributing to an increase in IUSD student enrollment because some portion of these employees that relocate to Irvine may reside in existing housing outside IUSD's CFD 86-1 (CFD development is exempt from paying developer fees). IUSD would need to provide public K-12 school facilities housing and services to these students. IUSD would normally require, at a minimum, that new development be subject to statutory school facilities fees (currently \$1.72/square foot for residential development and \$0.28/square foot for commercial development) for the purposes of mitigating any impacts on IUSD school facilities. As indicated on page 2 of the School Facilities Fee Report, IUSD recognizes the actual impact of the commercial/industrial fee is \$0.89 per square foot. IUSD understands the facility is not obligated to pay the statutory school facilities fees. However, we find it necessary to disclose the impact on IUSD to lead agencies.

MUSICK.FP TL

#### **BOARD OF EDUCATION**

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DEAN WALDFOGEL, Deputy Superintendent, Curriculum and Instruction

002180

Enclosed is a copy of the School Facilities Fee Report.

The following information is in response to questions in your June 26, 1996 letter.

1. What types of service do you provide to the project area?

**Response:** The project is in IUSD, which provides public education for grades K-12.

2. Where are the locations of the facilities, distances, and response time (if applicable) to the project area and project site?

**Response:** Students residing in MCAS El Toro- related housing are currently assigned to three (3) schools in the District. ( Please refer to the enclosed directory for distances).

El Toro Marine School (K-6)  
8171 S.E. Trabuco Road, Irvine, CA 92618

Rancho San Joaquin Middle School (7-8)  
4861 Michelson Drive, Irvine, CA 92612

University High School (9-12)  
4771 Campus Drive, Irvine, CA 92612

IUSD proposes to acquire the real property under the existing El Toro Marine Elementary School improvements. IUSD operates the El Toro Marine Elementary School, located on military property at 8171 S.E. Trabuco Road. IUSD owns the school facility improvements on land which is leased to IUSD by the federal government.

3. What is the available capacity for the facilities or services in the project area and project site?

**Response:** There are currently no plans for constructing new schools in the immediate project area, although growth is expected within the general boundaries of IUSD.

Between 1996 and 2006 the IUSD anticipates a 10.5% increase in K-12 enrollment. Anticipated enrollment growth through 2006 will require the opening of seven (7) new elementary schools, one (1) new middle school, and one (1) high school. Plaza Vista Elementary School (K-6) in the Westpark North community is expected to open in fall 1999 while Northwood High School (9-12) in the Northwood community is under design and scheduled for occupancy in fall 1998. In addition, Northwood Point Elementary School is

anticipated to open in fall 2001, Northwood Middle School in fall 2002, and Oak Creek Elementary in 2002.

Some schools are approaching capacity and will require facility additions.

4. Are there any current facility or service expansion plans for the project area/and or project site?

**Response:** No.

5. Will the project negatively impact any current facility or service expansion plans for the project site and/or project area?

**Response:** Please refer to the enclosed School Facilities Fee report. Impacts can be mitigated by IUSD's collection of the commercial/industrial fees on the subject project.

6. Will the project negatively impact current services?

**Response:** The project would negatively impact current facilities as described in the School Facilities report as indicated in response to Question #5.

7. Will the project necessitate additional facilities or staff? If so, please describe what additional facilities (including size and location) and/or staff that would be needed?

**Response:** Please see response to Question #5. IUSD proposes collection of the commercial/industrial fee.

8. Are there any foreseeable problems in serving the entire project?

**Response:** Part of the commercial/industrial fee can mitigate any foreseeable problems.

9. Are there any foreseeable problems in service in terms of phasing?

**Response:** No.

10. For any impact analysis, please identify considerations if important to your answer.

**Response:** None.

Ms. M. Culbertson  
July 29, 1996  
Page 4

Thank you for the opportunity to comment on the EIR Notice of Preparation. IUSD appreciates your consideration of these comments and the continued assistance and support in the provision of adequate school facilities. We look forward to the opportunity to comment on future CEQA/NEPA documents. Please feel free to call me at (714) 651-0444, extension 326, if you have any questions.

Sincerely,



Corinne Loskot  
Director, Facilities Planning

cc: Paul Reed, Deputy Superintendent, Business Services, IUSD

**Irvine Unified  
School District  
Developer Fee Justification Study**

**August 15, 1994**

**Board of Trustees**

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Mike Regele, Clerk  
Mary Ellen Hadley, Member  
Tom Burnham, Member  
Steve Mc Arthur, Member

**Dr. David E. Brown, Superintendent**

**Prepared by:  
Jack Schreder & Associates  
2230 K Street  
Sacramento, CA 95816  
916-441-0986**

**002184**

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## EXECUTIVE SUMMARY

- Government Code Section 53080 authorizes school districts to levy a fee, charge, dedication or other form of requirement against any development project for the construction or reconstruction of school facilities provided the district can show justification for levying of fees.
- This study finds that justification exists for levying fees in the Irvine Unified School District at the current maximum rate of \$1.72 per square foot for residential construction and \$.28 per square foot for commercial and industrial construction.
- The justification is based on this study's findings that the district will exceed its K-12th grade facility capacity of 25,120 students in the 1996-1997 school year. The district's 1993-1994 CBED enrollment was 21,522 K-12th grade students.
- Each new residential unit to be constructed in the District will average 1,650 square feet and will generate an average of .44 K-12th grade students for the Irvine Unified School District to house.
- No houses from the Mello-Roos District formed by the Irvine Company in 1986 were included in the residential fee calculations for this study.
- Each square foot of residential construction will create a school facilities cost of \$3.92. When this amount is compared to the maximum residential fee of \$1.72, a \$2.20 shortfall per square foot is identified.
- Based on an estimated facilities cost of \$28,988 per student, each new housing unit will represent a K-12th grade school facilities mitigation need of \$12,755.72.

- Each square foot of commercial/industrial construction will create a school facilities cost of at least \$0.89. When this amount is compared to the maximum commercial/industrial fee of \$.28 per square foot, a funding shortfall of \$0.61 per square foot is identified.

## INTRODUCTION

In September, 1986, the Governor signed into law Assembly Bill 2926 (Chapter 887/Statutes 1986) which granted school district governing boards the authority to impose developer fees. This authority is codified in Government Code Section 53080 which states in part "...the governing board of any school district is authorized to levy a fee, charge, dedication or other form of requirement against any development project for the construction or reconstruction of school facilities."

The maximum fee that can be levied is adjusted every two years according to the inflation rate, as listed by the state-wide index for Class B construction set by the State Allocation Board. In January of 1992, the State Allocation Board increased the maximum fee to \$1.65 per square foot for residential construction and \$.27 per square foot for commercial and industrial construction.

Senate Bill 1287 (Chapter 1354/Statutes 1992) effective January 1, 1993, affected the facility mitigation requirements a school district could impose on developers. Senate Bill 1287 allowed school districts to levy an additional \$1.00 per square foot of residential construction (Government Code Section 65995.3). The authority to levy the additional \$1.00 was rescinded by the failure of Prop. 170 on the November 1993 ballot.

In January 1994 the State Office of Local Assistance biennial inflation adjustment changed the fee to \$1.72 per square foot for residential construction and \$.28 per square foot for commercial/industrial construction.

The current fees authorized by Government Code Section 53080 are set at \$1.72 per square foot of residential construction and \$.28 per square foot of commercial and industrial construction.

In order to levy a fee, a district must make a finding that the fee to be paid bears a reasonable relationship and be limited to the needs of the community for elementary or high school facilities and be reasonably related

to the need for schools caused by the development. This study will demonstrate the relationship between residential, commercial and industrial growth and the need for the construction and/or reconstruction of school facilities in the Irvine Unified School District.

## SECTION I: DEVELOPER FEE JUSTIFICATION

Developer fee law requires that before fees can be levied a district must find that justification exists for the fee. Justification for the fee can be shown if anticipated residential, commercial and industrial development within a district will impact it with additional students and the district either does not have the facility capacity to house these students and/or the students would have to be housed in existing facilities that are not educationally adequate (i.e., antiquated facilities). In addition, it must also be shown that the amount of developer fees to be collected will not exceed the district's cost for housing students generated by new development. This section of the study will show that justification does exist for levying developer fees in the Irvine Unified School District.

### School Capacity

According to the Irvine Unified School District 1993 Annual Facilities Workshop Report, the student capacity of the Irvine Unified School District is 25,120 K-12th grade students. A detailed facility inventory is included in Appendix A. The district's 1993-1994 CBED enrollment of 21,522 students shows that the district is currently under capacity.

### Student Generation

In order to determine the number of students generated by new development, a student yield must be formulated. The Irvine Unified School District has determined that the student yield per new residential unit is .44. The student yield per grade level can then be determined utilizing current enrollment per grade level. Table 1 lists the student yield factors per residential unit by grade level and the total K-12 yield factor for the district.

Table 1

Student Yield Factor Per Unit

<u>Grade</u>	<u>Yield</u>
K-6	.247
7-8	.066
9-12	.127
K-12 Yield	.440

Source:: Irvine Unified School District, Facilities Workshop Report

**Enrollment Projections and Development Data**

The enrollment projections used in this study utilize a cohort methodology based on four years of historic CBEDS enrollments. The cohort survival method of projecting enrollments identifies the probability that a student will "survive" from one school year to the next in the successive grade level. By using four years of CBEDS enrollments, the cohort rates are averaged over the four years. The average cohort rate is then used to advance the students through the ten year projection.

The enrollment projections in this study are based on an estimated increase of approximately 38,028 housing units within the District in the next fifteen years. This information is based on the maximum densities in the General Plan for the City of Irvine for property located within the Irvine Unified School District. It is unlikely that vacant land within the district will be developed at the maximum density allowed, and therefore, the actual number of houses built within the next 15 years may be less than 38,028. The District may adjust its projections as the housing units are built.

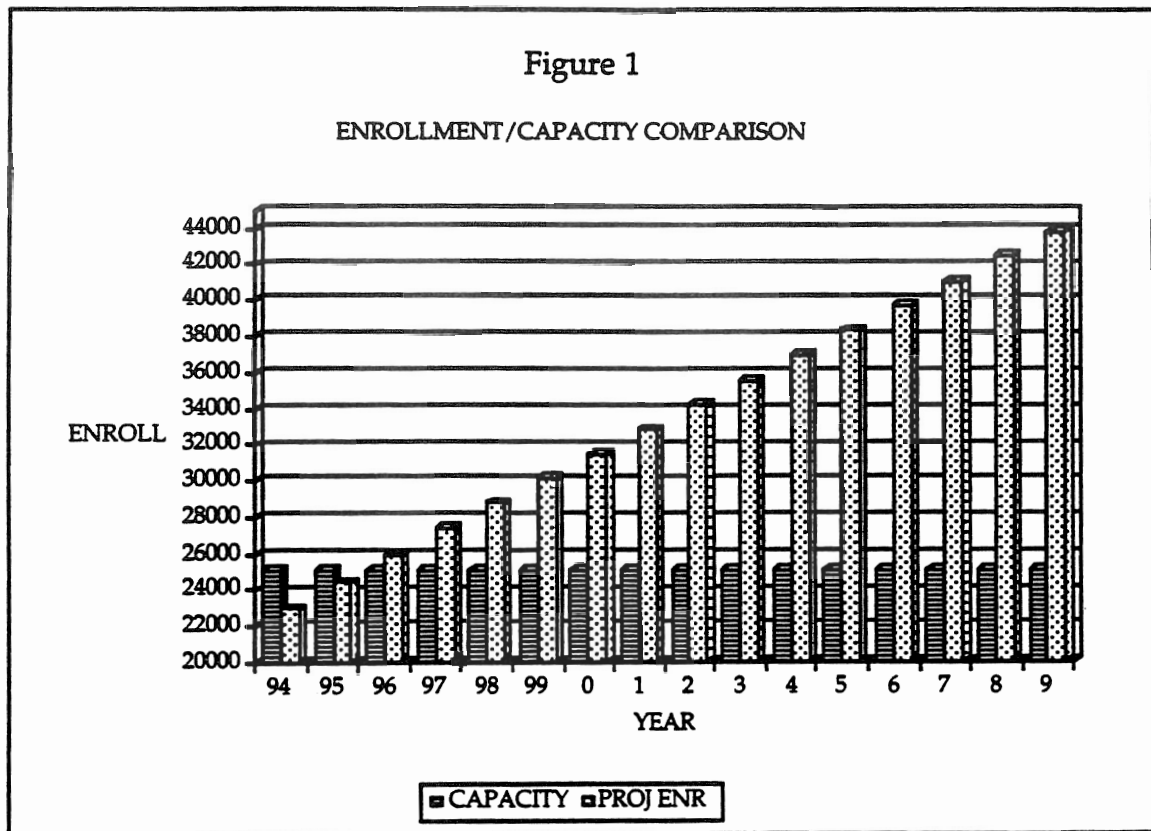
The enrollment projection is included in Appendix B. These enrollments as compared to capacity are shown in Table 2 and Figure 1. The District will reach capacity by the 1996-1997 school year and continue to exceed capacity through the 2009-2010 school year.

Table 2  
Enrollment Projections

Year	94-95	96-97	09-10
Enrollment	22,187	25,905	43,855
Capacity	<u>25,120</u>	<u>25,120</u>	<u>25,120</u>
Unhoused	-2,933	785	18,735

Source: Irvine Unified School District and City of Irvine, General Plan

Figure 1 illustrates the district capacity as compared to the fifteen year enrollment projection. It shows that the district will exceed its facility capacity of 25,120 students by the start of the 1996-1997 school year and will continue to exceed capacity through the 2009-2010 school year.



The enrollment projection in Figure 1 includes all proposed development within the District in the next fifteen years. However, the District and the Irvine Company have established a Mello-Roos Community Facilities District, CFD 86-1, the boundaries of which include existing and future houses within a significant portion of the District. CFD 86-1 funds school facilities necessitated by such development through the issuance of bonds and the levy of an annual special tax on houses within CFD 86-1. As a result of the formation of CFD 86-1, all houses within CFD 86-1 are exempt from paying statutory developer fees.

Because houses within CFD 86-1 are exempt from paying developer fees, for purposes of establishing the relationship between new development and the levy of developer fees, enrollment projections from the houses outside the boundaries of CFD 86-1 need to be separated from enrollment projections for the entire District. There are 17,492 proposed new housing units projected to be built over the next fifteen years within the District, excluding the houses in the CFD 86-1 area.

The sub-enrollment projection, including only those students generated by houses outside CFD 86-1, is included in Appendix B and shown in Table 3 and Figure 2. Based on District estimates, 90% of the housing growth within the next ten years is projected to be within CFD 86-1. Accordingly, based on enrollment projections from Table 2, 90% of existing capacity will have been utilized by students from houses within CFD 86-1. However, the study conservatively allocates the existing capacity over the next fifteen years.

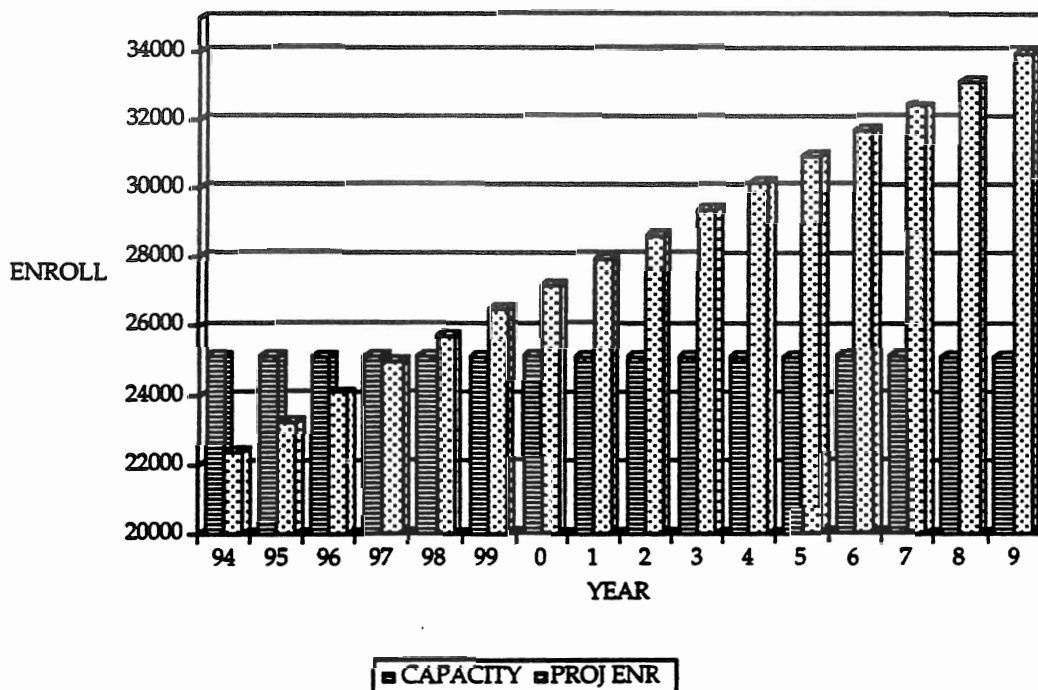


Table 3  
Irvine Unified School District  
Sub-Enrollment Projections  
(Excludes Students from Houses in CFD 86-1)

<u>Year</u>	<u>94-95</u>	<u>98-99</u>	<u>09-10</u>
Enrollment	22,187	25,761	33,912
Capacity	<u>25,120</u>	<u>25,120</u>	<u>25,120</u>
Unhoused	-2,933	641	8,792

Source: Irvine Unified School District and General Plan, City of Irvine

Figure 2  
Enrollment/Capacity Comparison  
(Excludes Students from Houses in CFD 86-1)



## Residential Fee Projection

To show a reasonable relationship exists between the construction of new housing units and the need for additional school facilities, it will be shown that each square foot of new assessable residential space will create a school facility cost impact on the Irvine Unified School District.

To determine the cost impact of residential construction on the district, the cost to house a student in new school facilities must be identified. Table 3 shows the cost impact for new school facilities for each student generated by new residential development. Table 3 is based on State cost formulas and information from the State Office of Local Assistance and State Department of Education. The facility cost calculations are included as Appendix C. Table 3 shows it will cost the district an average of \$28,998 to house each additional student in new facilities.

Table 4	
Facility Cost Per Student	
<u>Irvine Unified School District</u>	
<u>Grade</u>	<u>Cost</u>
K-6	\$23,725
7-8	\$31,018
9-12	<u>\$37,215</u>
Weighted Average	\$28,998

Source: Jack Schreder and Associates.

To determine the impact per square foot of residential construction, the student generation factors are compared to the average house size anticipated to be constructed in the district. According to the Irvine Unified School District, the average size of new homes in the district will be approximately 1,650 square feet.

Since each home generates an average of .44 K-12th grade students for the District to house, each home will generate .00027 students per square foot (.44 students per unit divided by the average home size of 1,650 sq. ft.). The cost to house students is \$7.83 per square foot of new residential construction (\$28,998 per student multiplied by the square foot student generation factor of .00027 students). This cost impact is based on each new student requiring new facilities. When the cost impact on the Irvine Unified School District of \$7.83 per residential square foot is compared to the maximum allowable developer fee of \$1.72 per residential square foot, a \$6.11 per residential square foot shortfall is shown.

However, because the District will exceed its capacity by the start of the 1999 school year which is five years into the ten-year projection, 50% of the students generated by new development in the next ten years can be housed in existing facilities. To adjust for the District's existing capacity, the residential cost impact will be reduced by 50%. When the \$7.83 per residential square foot cost is reduced by 50%, an adjusted cost of \$3.92 per residential square foot cost is identified. When the cost impact on the Irvine Unified School District of \$3.92 is compared to the maximum allowable developer fee of \$1.72 per residential square foot, a \$2.20 per residential square foot shortfall is shown. These calculations are shown in Table 4.

Table 5

Adjusted Residential Fee Justification

$$\begin{aligned} \text{Square Foot Facility Cost} &= (\text{Student Yield/Ave. Home Size}) \times \text{Student Cost} \\ \$7.83 &= (.44 / 1,650 \text{ sf}) \times \$28,998 \\ \text{Adjusted Cost} &= \text{Cost} \times (\% \text{ Units constructed after 1997}) \\ \$3.92 &= \$7.82 \times .5 \end{aligned}$$

Since the school cost impact on the Irvine Unified School District of new residential development is greater than the amount of residential developer fees to be collected, the levying of residential developer fees at \$1.72 per square foot of development is justified.

**Commercial and Industrial Development and Fee Projections**

In order to levy developer fees on commercial and industrial development, Assembly Bill 181 provides that a district "... must determine the impact of the increased number of employees anticipated to result from commercial and industrial development upon the cost of providing school facilities within the district. For the purposes of making this determination, the [developer fee justification] study shall utilize employee generation estimates that are based on commercial and industrial factors within the District, as calculated on either an individual project or categorical basis". The passage of Assembly Bill AB 530 (Chapter 633/Statutes 1990) modified the requirements of AB 181 by allowing the use of a set of state-wide employee generation factors. Assembly Bill 530 allows the use of the employee generation factors identified in the San Diego Association of Governments report titled, San Diego Traffic Generators. This study which was completed in January of 1990 identifies the number of employees generated for every 1,000 square feet of floor area for several development categories. These generation factors are shown in Table 5.

Table 5 indicates the number of employees generated for every 1,000 square feet of development and the number of district households generated

for every employee in 10 categories of commercial and industrial development. The number of district households is calculated by adjusting the number of employees for the percentage of employees that live in the district and are heads of households. These adjustment factors are based on surveys of commercial and industrial employees in school districts similar to the Irvine Unified School District. When these figures are compared to the cost to house students, it can be shown that each square foot of commercial and industrial development creates a cost impact greater than the maximum fee of \$.28 per square foot. The data shown in Table 6 are based on the per student costs shown in Table 3. These figures are multiplied by the student yield factor to determine the number of students generated per square foot of commercial and industrial development. To determine the school facilities square foot impact of commercial and industrial development shown in Table 6, the students per commercial and industrial square foot are multiplied by the cost of providing school facilities. Appendix D contains the commercial/industrial cost calculation worksheets.

Table 6		
<u>Commercial and Industrial Generation Factors</u>		
<u>Type of Development</u>	<u>Employees Per 1,000 Sq. Ft.*</u>	<u>District Households Per Employee**</u>
Medical Offices	4.27	.13
Corporate Offices	2.68	.13
Commercial Offices	4.78	.13
Lodging	1.55	.13
Scientific R&D	3.04	.13
Industrial Parks	1.68	.13
Industrial/Business Parks	2.21	.13
Neighborhood Shopping Centers	3.62	.13
Community Shopping Centers	1.09	.13
Banks	2.82	.13

\* Source: San Diego Association of Governments.

\*\* Source: Irvine Unified School District

Table 7

Commercial and Industrial Facilities Cost Impact

<u>Type of Development</u>	<u>Cost Impact Per Sq. Ft.</u>	<u>Fee</u>	<u>Shortfall</u>
Medical Offices	\$7.01	\$.28	\$6.73
Corporate Offices	\$4.40	\$.28	\$4.12
Commercial Offices	\$7.84	\$.28	\$7.56
Lodging	\$2.54	\$.28	\$2.26
Scientific R&D	\$4.99	\$.28	\$4.71
Industrial Parks	\$2.76	\$.28	\$2.48
Industrial/Business Parks	\$3.63	\$.28	\$3.35
Neighborhood Shopping Centers	\$5.94	\$.28	\$5.66
Community Shopping Centers	\$1.79	\$.28	\$1.51
Banks	\$4.63	\$.28	\$4.35

Table 6 shows that the costs per square foot for all categories of commercial and industrial development exceed the maximum commercial and industrial developer fee rate. Since the district currently has capacity in its facilities, only the students generated by commercial and industrial development after the district reaches capacity will be used to justify developer fees. The district will exceed its facility capacity by the 1999-2000 school year. Since the 1999-2000 school year is five years into the 10 year projection, the commercial and industrial facilities cost impact will be reduced by 50% (Table 7). This adjustment is made to measure the impact of only those students that will require new facilities.

Table 8

Commercial and Industrial Facilities Cost Impact  
Adjusted for Existing Facility Capacity

Type of Development	Cost Impact Per Sq. Ft.	Fee	Shortfall
Medical Offices	\$3.50	\$.28	\$3.22
Corporate Offices	\$2.20	\$.28	\$1.92
Commercial Offices	\$3.92	\$.28	\$3.64
Lodging	\$1.27	\$.28	\$0.99
Scientific R&D	\$2.49	\$.28	\$2.21
Industrial Parks	\$1.38	\$.28	\$1.10
Industrial/Business Parks	\$1.81	\$.28	\$1.53
Neighborhood Shopping Centers	\$2.97	\$.28	\$2.69
Community Shopping Centers	\$0.89	\$.28	\$0.61
Banks	\$2.31	\$.28	\$2.03

*Note: The cost impact per square foot figures in this table have been reduced by 50% to allow for the existing facility capacity in the district.*

Table 7 shows that even when the commercial and industrial cost impacts are adjusted for the existing facility capacity, all types of commercial and industrial development will create a square foot cost impact greater than the maximum fee of \$.28 per square foot of commercial and industrial development. Thus a reasonable relationship between commercial and industrial development and the impact on the Irvine Unified School District is shown. Based on this relationship, the levying of commercial and industrial developer fees is justified in the Irvine Unified School District.

### Summary

A reasonable relationship exists between new residential, commercial and industrial development in the Irvine Unified School District and the need for new school facilities. This relationship is based on the finding that the district will exceed its facility capacity by the start of the 1999-2000 school year and that new students to be generated by new residential development

after this time will have to be housed in new school facilities. The cost to provide additional school facilities exceeds the amount of residential and commercial/industrial fees to be generated directly and indirectly by residential construction.

The cost impact on the Irvine Unified School District imposed by new students to be generated from new residential, commercial and industrial development is greater than the maximum allowable fees. Each square foot of residential development creates a K-12 school facility cost of \$3.92 per square foot and each square foot of commercial and industrial development creates a K-12 school facility cost of at least \$0.89



## SECTION II: BACKGROUND OF DEVELOPER FEE LEGISLATION

Initially, the maximum allowable developer fee was limited by Government Code Section 65995 to \$1.50 per square foot of covered or enclosed space for residential development and \$.25 per square foot of covered or enclosed space of commercial or industrial development. The maximum fee that can be levied is adjusted every two years, according to the inflation rate as listed by the state-wide index for Class B construction set by the State Allocation Board. In January of 1994, the State Allocation Board increased the maximum fee to \$1.72 per square foot for residential construction and \$.28 per square foot for commercial and industrial construction.

The fees collected are to be used by the school district for the construction or reconstruction of school facilities and may be used by the district to pay bonds, notes, loans, leases or other installment agreements for temporary as well as permanent facilities.

Assembly Bill 3228 (Chapter 1572/Statutes 1990) added Government Code Section 66016 requiring districts adopting or increasing any fee to first hold a public hearing as part of a regularly scheduled meeting and publish notice of this meeting twice, with the first notice published at least ten days prior to the meeting.

Assembly Bill 3980 (Chapter 418/Statutes 1988) added Government Code Section 66006 to require segregation of school facilities fees into a separate capital facilities account or fund and specifies that those fees and the interest earned on those fees can only be expended for the purposes for which they were collected.

Senate Bill 519 (Chapter 1346/Statutes 1987) added Section 53080.4 to the Government Code. It provides that a school district can charge a fee on manufactured or mobile homes only in compliance with all of the following:

1. The fee may be imposed only as to the initial installation of the manufactured or mobile home in the school district.
2. A manufactured or mobile home must not have been located previously on the pad where the manufactured or mobile home is to be installed.
3. The construction of the pad where the manufactured or mobile home is to be located must have commenced after September 1, 1986.

Senate Bill 1151 (Chapter 1037/Statutes 1987) concerns agricultural buildings and adds Section 53080.15 to the Government Code. It provides that no school fee may be imposed and collected on a greenhouse or other space covered or enclosed for agricultural purposes unless the school district has made findings supported by substantial evidence as follows:

1. The amount of the fees bears a reasonable relationship and is limited to the needs for school facilities created by the greenhouse or other space covered or enclosed for agricultural purposes.
2. The amount of the fee does not exceed the estimated reasonable costs of the school facilities necessitated by the structures as to which the fees are to be collected.
3. In determining the amount of the fees, the school district shall consider the relationship between the proposed increase in the number of employees, if any, the size and specific use of the structure, as well as the cost of construction.

In order to levy developer fees, a study is required to assess the impact of new growth and the ability of the local school district to accommodate that growth. The need for new school construction and reconstruction must be determined along with the costs involved. The source of revenue need to be evaluated to determine if the district can fund the new construction and

reconstruction. Finally, a relationship between needs and funding raised by the fee must be quantified.

Assembly Bill 181 (Chapter 1209/Statutes 1989) which became effective October 2, 1989, was enacted to clarify several areas of developer fee law. Assembly Bill 181 provisions include the following:

1. Exempts residential remodels of less than 500 square feet from fees.
2. Prohibits the use of developer fee revenue for routine maintenance and repair, most asbestos work, and deferred maintenance.
3. Allows the fees to be used to pay for the cost of performing developer fee justification studies.
4. States that fees are to be collected at the time of occupancy, unless the district can justify earlier collection. The fees can be collected at the time the building permit is issued if the district has established a developer fee account and funds have been appropriated for which the district has adopted a proposed construction schedule or plan prior to the issuance of the certificate of occupancy.
5. Clarifies that the establishment or increase of fees is not subject to the California Environmental Quality Act.
6. Clarifies that the impact of commercial and industrial development may be analyzed by categories of development as well as an individual project by project basis. An appeal process for individual projects would be required if analysis was done by categories.
7. Changes the frequency of the annual inflation adjustment on the maximum fee to every two years.

8. Exempts from fees, development used exclusively for religious purposes, private schools, and government-owned development.
9. Expands the definition of senior housing which is limited to the commercial/industrial fee cap and requires the conversion from senior housing to be approved by the city/county after notification of the school district.
10. Extends the commercial/industrial fee cap to mobile-home parks limited to older persons.

### SECTION III: REQUIREMENTS OF AB 1600

#### Assembly Bill 1600 as Related to the Justification for Levying Developer Fees

Effective January 1, 1989, Assembly Bill 1600 requires that any school district which establishes, increases or imposes a fee as a condition of approval of development shall make specific findings as follows:

1. A cost nexus must be established. A cost nexus means that the amount of the fee cannot exceed the cost of providing adequate school facilities for students generated by development. Essentially, it prohibits a school district from charging a fee greater than their cost to construct or reconstruct facilities for use by students generated by development.
2. A benefit nexus must be established. A benefit nexus is established if the fee is used to construct or reconstruct school facilities benefiting students to be generated from development projects.
3. A burden nexus must be established. A burden nexus is established if a project, by the generation of students, creates a need for additional facilities or a need to reconstruct existing facilities.

## **SECTION IV: REVENUE SOURCES FOR FUNDING FACILITIES**

Two general sources exist for funding facility construction and reconstruction - state sources and local sources. The district has considered the following available sources:

### **State Sources**

#### **State School Building Lease-Purchase Program**

In order to participate in the State School Building Lease-Purchase Program, school districts are required to contribute to a "local match." With certain exceptions, the local match is based on "the applicable maximum fee" set forth in the school facility developer fee legislation. Levying the school facility developer fees would allow the district to raise the "local match" and the district would be able to participate in the State Building Lease-Purchase Program. Currently, the State Building Lease-Purchase Program is an unreliable funding source due to the lack of state money in the program.

### **Local Sources**

#### **Mello-Roos Community Facilities Act**

The Mello-Roos Community Facilities Act of 1982 allows school districts to establish a community facilities district in order to impose a special tax to raise funds to finance the construction of school facilities.

In 1986, the Irvine Company owned land within the area of the Irvine Unified School District. A Mello-Roos district was formed by the Irvine Company at that time entitled "CFD 86-1". This Mello-Roos district was established in an area in which fewer than twelve registered voters resided.

#### **School District General Funds**

The district's general funds are needed by the district to provide for the operation of its instructional program. There are at present funds encumbered from the CFD 86-1 Mello-Roos District that could be used to construct new facilities or reconstruct existing facilities.

## **General Obligation Bonds**

General obligation (GO) bonds may be issued by any school district for the purposes of purchasing real property or constructing or purchasing buildings or equipment "of a permanent nature." Because GO bonds are secured by an ad valorem tax levied on all taxable property in the district, their issuance is subject to two-thirds voter approval in an election. School districts are obligated, in the event of delinquent payments on the part of the property owners, to raise the amount of tax levied against the non-delinquent properties to a level sufficient to pay the principal and interest coming due on the bonds.

## **Expenditure of Lottery Funds**

Government Code Section 8880.5 states: "It is the intent of this chapter that all funds allocated from the California State Lottery Education Fund shall be used exclusively for the education of pupils and students and no funds shall be spent for acquisition of real property, construction of facilities, financing research, or any other non-instructional purpose."

## **SECTION V: ESTABLISHING THE COST, BENEFIT AND BURDEN NEXUS**

### **Establishment of a Cost Nexus**

The Irvine Unified School District chooses to construct and/or reconstruct facilities for the additional students created by development in the district and the cost for providing new and/or reconstructed facilities exceeds the amount of developer fees to be collected. It is clear that when educational facilities are provided for students generated by new residential, commercial and industrial development that the cost of new facilities exceeds developer fee generation, thereby establishing a cost nexus.

### **Establishment of a Benefit Nexus**

Students generated by new residential, commercial and industrial development will be attending district schools. Housing district students in new and/or reconstructed facilities will directly benefit those students from the new development projects upon which the fee is imposed, therefore, a benefit nexus is established.

### **Establishment of a Burden Nexus**

The generation of new students by development will create a need for additional and/or reconstructed school facilities. The district must carry the burden of constructing new facilities required by the students generated by future developments and the need for facilities will be, in part, satisfied by the levying of developer fees, therefore, a burden nexus is established.



## SECTION VI: FACILITY FUNDING ALTERNATIVES

The district does not currently have funds to provide for the shortfall in housing costs. We suggest the following possible funding alternatives.

1. Participate in the Leroy Greene Lease-Purchase Program. Developer fees may go to the State while the district is in the program.
2. Utilize temporary housing if the site will accommodate such housing.
3. Explore a possible new site in cooperation with developers for the possibility of establishing a Mello-Roos community facility district.
4. Explore possible local land exchange in combination with State Building program.
5. Explore voter approved Mello-Roos or General Obligation Bond election.

## STATEMENT TO IDENTIFY PURPOSE OF FEE

It is a requirement of AB 1600 that the district identify the purpose of the fee. The purpose of fees being levied shall be used for the construction and/or reconstruction of school facilities. The district will provide for the construction and/or reconstruction of school facilities, in part, with developer fees.

## ESTABLISHMENT OF A SPECIAL ACCOUNT

Pursuant to Government Code section 66006, the district will establish a special account in which fees for capital facilities are deposited. The fees collected in this account will be expended only for the purpose for which they were collected. Any interest income earned on the fees that are deposited in such an account will be expended only for the purpose for which the fee was collected. Any fees remaining unexpended or uncommitted in the account established under Government Code section 66006 five years or more after deposit will be returned in accordance with Government Code section 66006.

## RECOMMENDATION

Based on the fee justification provided in this report, it is recommended the Irvine Unified School District levy residential development fees at \$1.72 per square foot and commercial/industrial development fees at \$.28 per square foot.

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**APPENDIX A**  
**FACILITY CAPACITY**

<b>IRVINE UNIFIED SCHOOL DISTRICT</b>	
<b>DISTRICT CAPACITY</b>	
<b>SCHOOL</b>	<b>CAPACITY</b>
<b>ELEMENTARY SCHOOLS</b>	
ALDERWOOD	600
BONITA CANYON	600
BRYWOOD	690
COLLEGE PARK	690
CULVERDALE	840
DEERFIELD	480
EASTSHORE	540
EL CAMINO	690
EL TORO	840
GREENTREE	630
LOS NARANJOS	780
MEADOW PARK	810
NORTHWOOD	660
SANTIAGO HILLS	810
SPRINGBROOK	750
STONE CREEK	570
TURTLE ROCK	810
UNIVERSITY PARK	720
VISTA VERDE	660
WESTPARK	750
WESTWOOD	600
<b>TOTAL ELEMENTARY</b>	<b>14,520</b>
<b>MIDDLE SCHOOLS</b>	
LAKESIDE	790
RANCHO	920
SIERRA VISTA	870
VENADO	790
VISTA VERDE	120
<b>TOTAL MIDDLE</b>	<b>3,490</b>
<b>HIGH SCHOOLS</b>	
IRVINE	2,400
S.E.L.F.	300
SAN JOAQUIN	N/A
UNIVERSITY	2,340
WOODBIDGE	2,070
<b>TOTAL HIGH</b>	<b>7,110</b>
<b>GRAND TOTAL</b>	<b>25,120</b>

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**APPENDIX B**  
**ENROLLMENT PROJECTIONS**



[illegible]





[illegible]

**This projection includes all development projected in the IUSD excluding CDF housing units.**

**APPENDIX C**  
**FACILITY CONSTRUCTION COSTS**

Elementary School Facility Construction Costs				
<b>I. Allowable Building Area</b>				
	A. Total Student Capacity			
	B. Building Area			
		600 students @ 62sf/student		37,200
		Speech/Resource Specialist		600
	Total			37,800
<b>II. Site Requirements</b>				
	A. Purchase Price of Property (10 Acres)			
	Est. 10 Year Cost per Acre	\$750,000		\$7,500,000
	B. Appraisals			\$6,000
	C. Costs Incurred in Escrow			\$4,000
	D. Surveys			\$6,000
	E. Other Costs, Geo. and Soils Reports			\$4,000
	Total-Acquisition of Site			\$7,520,000
<b>III. Plans</b>				
	A. Architect's Fee for Plans			\$410,000
	B. OSA Plans Check Fee			\$31,600
	C. School Planning, Plans Check Fee			\$2,600
	D. Preliminary Tests			\$2,000
	E. Other Costs, Energy Cons. & Advertising			\$18,000
				\$464,200
<b>IV. Construction Requirements</b>				
	A. Utility Services			\$150,000
	B. Off-site Development			\$225,000
	C. Site Development, Service			\$360,000
	D. Site Development, General			\$240,000
	E. New Construction			\$3,402,000
	F. Unconventional Energy Source			\$235,000
	Total Construction			\$4,612,000
	Total Items II, III and IV			\$12,596,200
	Contingency 10%			\$1,259,620
	Construction Tests			\$64,000
	Inspection			\$45,000
	Furniture and Movable Equipment			\$270,000
	<b>TOTAL ESTIMATED PROJECT COSTS</b>			<b>\$14,234,820</b>
	<b>ESTIMATED COST PER STUDENT</b>			<b>\$23,725</b>

*These calculations are based on State cost formulas and information from the State Office of Local Assistance and State Department of Education.*

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Middle School Facility Construction Costs			
<b>I. Allowable Building Area</b>			
A. Total Student Capacity			
B. Building Area			
	900 students @ 83sf/student		74,700
	Speech/Resource Specialist		1,360
Total			76,060
<b>II. Site Requirements</b>			
A. Purchase Price of Property (20 Acres)			
Est. 10 Year Cost per Acre	\$750,000		\$15,000,000
B. Appraisals			\$8,000
C. Costs Incurred in Escrow			\$4,500
D. Surveys			\$8,000
E. Other Costs, Geo. and Soils Reports			\$6,000
Total-Acquisition of Site			\$15,026,500
<b>III. Plans</b>			
A. Architect's Fee for Plans			\$822,000
B. OSA Plans Check Fee			\$51,000
C. School Planning, Plans Check Fee			\$3,150
D. Preliminary Tests			\$3,500
E. Other Costs, Energy Cons. & Advertising			\$27,500
			\$907,150
<b>IV. Construction Requirements</b>			
A. Utility Services			\$230,000
B. Off-site Development			\$210,000
C. Site Development, Service			\$715,000
D. Site Development, General			\$510,000
E. New Construction			\$6,845,400
F. Unconventional Energy Source			\$420,000
Total Construction			\$8,930,400
Total Items II, III and IV			\$24,864,050
Contingency 10%			\$2,486,405
Construction Tests			\$94,000
Inspection			\$55,000
Furniture and Movable Equipment			\$417,000
<b>TOTAL ESTIMATED PROJECT COSTS</b>			<b>\$27,916,455</b>
<b>ESTIMATED COST PER STUDENT</b>			<b>\$31,018</b>

*These calculations are based on State cost formulas and information from the State Office of Local Assistance and State Department of Education.*

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High School Facility Construction Costs			
<b>I. Allowable Building Area</b>			
A. Total Student Capacity			
B. Building Area			
	1500 students @ 91sf/student		136,500
	3 square foot bonus (1,500*3)		4,500
Total			141,000
<b>II. Site Requirements</b>			
A. Purchase Price of Property (40 Acres)			
Est. 10 Year Cost per Acre	\$750,000		\$30,000,000
B. Appraisals			\$10,000
C. Costs Incurred in Escrow			\$5,000
D. Surveys			\$10,000
E. Other Costs, Geo. and Soils Reports			\$12,000
Total-Acquisition of Site			\$30,037,000
<b>III. Plans</b>			
A. Architect's Fee for Plans			\$1,110,500
B. OSA Plans Check Fee			\$98,500
C. School Planning, Plans Check Fee			\$3,700
D. Preliminary Tests			\$6,000
E. Other Costs, Energy Cons. & Advertising			\$55,400
			\$1,274,100
<b>IV. Construction Requirements</b>			
A. Utility Services			\$440,000
B. Off-site Development			\$450,000
C. Site Development, Service			\$1,450,000
D. Site Development, General			\$1,090,000
E. New Construction			\$14,151,400
F. Unconventional Energy Source			\$836,500
Total Construction			\$18,417,900
Total Items II, III and IV			\$49,729,000
Contingency 10%			\$4,972,900
Construction Tests			\$184,500
Inspection			\$100,000
Furniture and Movable Equipment			\$835,800
<b>TOTAL ESTIMATED PROJECT COSTS</b>			<b>\$55,822,200</b>
<b>ESTIMATED COST PER STUDENT</b>			<b>\$37,215</b>

*These calculations are based on State cost formulas and information from the State Office of Local Assistance and State Department of Education.*

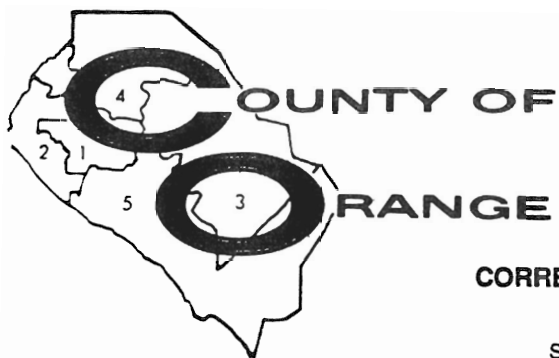
**APPENDIX D**  
**COMMERCIAL/INDUSTRIAL**  
**COST CALCULATIONS**

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COSTS PER SQUARE FOOT					
	K-6	7-8	9-12	TOTAL	SHORTFALL
MEDICAL	\$3.25	\$1.14	\$2.62	\$7.01	\$6.73
CORP. OFFICE	\$2.04	\$0.71	\$1.64	\$4.40	\$4.12
COM. OFFICE	\$3.64	\$1.27	\$2.93	\$7.84	\$7.56
LODGING	\$1.18	\$0.41	\$0.95	\$2.54	\$2.26
R&D	\$2.32	\$0.81	\$1.86	\$4.99	\$4.71
IN. PARK	\$1.28	\$0.45	\$1.03	\$2.76	\$2.48
IN/COM PARK	\$1.68	\$0.59	\$1.35	\$3.63	\$3.35
COM. SC.	\$2.76	\$0.96	\$2.22	\$5.94	\$5.66
COMMUNITY SC	\$0.83	\$0.29	\$0.67	\$1.79	\$1.51
BANKS	\$2.15	\$0.75	\$1.73	\$4.63	\$4.35
COSTS PER SQUARE FOOT		ADJUSTMENT FACTOR:			0.5
	K-6	7-8	9-12	TOTAL	SHORTFALL
MEDICAL	\$1.63	\$0.57	\$1.31	\$3.50	\$3.22
CORP. OFFICE	\$1.02	\$0.36	\$0.82	\$2.20	\$1.92
COM. OFFICE	\$1.82	\$0.64	\$1.46	\$3.92	\$3.64
LODGING	\$0.59	\$0.21	\$0.48	\$1.27	\$0.99
R&D	\$1.16	\$0.40	\$0.93	\$2.49	\$2.21
IN. PARK	\$0.64	\$0.22	\$0.51	\$1.38	\$1.10
IN/COM PARK	\$0.84	\$0.29	\$0.68	\$1.81	\$1.53
COM. SC.	\$1.38	\$0.48	\$1.11	\$2.97	\$2.69
COMMUNITY SC	\$0.42	\$0.15	\$0.33	\$0.89	\$0.61
BANKS	\$1.07	\$0.38	\$0.86	\$2.31	\$2.03



July 23, 1996

**CORRECTIONAL MEDICAL SERVICES**

550 N. FLOWER STREET  
P.O. BOX 499  
SANTA ANA, CALIFORNIA 92702  
(714) 647-4170  
FAX (714) 647-1863

**TOM URAM**  
DIRECTOR

**HERBERT ROSENZWEIG**  
DIRECTOR MEDICAL SERVICES

**ANN SOUSA**  
PROGRAM MANAGER

**ERNEST WILLIAMS, MD**  
MEDICAL DIRECTOR

**CULBERTSON, ADAMS AND ASSOCIATES**  
85 Argonaut, Suite 220  
Aliso Viejo, Ca 92656

**Attn: M. Andriette Culbertson**

Please find attached the response to the service availability and capacity information request.

Sincerely,

Ann Sousa  
Program Manager  
Correctional Medical Services

Francisco Madrigal  
Program Manager  
Correctional Mental Health Services

cc: Herb Rosenzweig  
Tim Mullins  
Julie Poulson

002227

**1. What types of service do you provide to the project area?**

Presently Correctional Medical Services (CMS) medical personnel provide basic ambulatory health care, medical screening for inmate worker status and pharmaceutical services to the 1200 male and female inmates at the James A. Musick facility through an out-patient clinic open 7 days per week, 16 hours per day. Dental care is provided three days per week, eight hours per day. Mental Health out-patient treatment is provided five days per week, 13 hours per day by Health Care Agency Correctional Mental Health (CMH) personnel.

**2. Where are the locations of the facilities, distances, and response time (if applicable) to the project area and project site?**

**Phase I**

CMS and CMH personnel will provide 24 hour medical and mental health assessment and triage in the intake center ( Complex I), prior to booking. In addition, CMS and CMH will provide 24 hour basic health care coverage to the approximately 1500 male and female inmates housed in both Complex I and the present housing.

Medical and mental health outpatient services will be provided from the present site and within Complex I for all inmates housed at Musick during Phase I. Emergency services will be available on all three shifts. Response times will be immediate for the entire 24 hour period.

**Phase II**

CMS and CMH will provide full administrative and support services for the following inmate medical/psychiatric services:

**Complex I**

- Intake medical/mental health assessment and triage
- Acute, intermediate, and long term medical/psych care, including Correctional Treatment Center level of skilled nursing care and inmate housing
- Outpatient ambulatory care
- Inmate worker screening evaluations
- Emergency services
- Infectious disease screening, case finding, treatment and prevention services (including education)
- Specialty clinics
- Dental care
- Radiological services
- Minor medical procedures, including casting and suturing
- Pharmaceutical services

Crisis Intervention  
Discharge Planning/Community Referral  
Psychiatric Outpatient Treatment Services

Complex II and III

Centralized outpatient medical/mental health and dental care  
24 hour basic emergency medical/mental health services  
Medication administration

**3. What is the available capacity for the facilities or services in the project area and project site?**

The present capacity for medical services barely meets the current needs due to the space constraints and inmate accessibility. The mix of inmates to be housed in the proposed project site and area necessitates a higher level of staffing and medical/mental health service environmental design.

**4. Are there any current facility or service expansion plans for the project area and/or project site?**

There are no additional service or expansion plans for the project site by CMS until the completion of Complex I: (See above 1 and 2) however, some program additions are being considered by the Alternative to Incarceration Task Force for CMH.

**5. Will the project negatively impact any current facility or service expansion plans for the project site and/or project area?**

No

**6. Will the project negatively impact current services?**

The project will minimally impact the delivery of care, ie, increase noise, dust, congestion, possibly temporarily disrupting continuity of care due to interruptions of electricity, water, etc. as the project proceeds.

**7. Will the project necessitate additional facilities or staff?**

Yes.

**If so , please describe what additional facilities (including size and location) and/or staff that would be needed.**

See Addendum A. Space requirements will be explored further with assigned architects at a later date.

**8. Are there any foreseeable problems in serving the entire project?**

Yes. Issues that need to be addressed prior to final authorization are critical to the health care staffing costs for initiating a project of this magnitude.

**1. Centralized medical services vs decentralized services.**

Staffing costs increase when medical staff must be deployed to modules for physician and nursing sick call and medication administration. By utilizing a central dispensary for sick call and medications and treatments, the number of staff needed and the time involved to provide medical services are reduced.

**2. Office and examination rooms per Complex site.**

Adequate office and examination room and interview space must be provided to treat inmates. Conceptually, when medical offices and examination rooms are centralized, the costs associated for duplication of medical areas are reduced.

**3. Medical/mental health triage vs treatment prior to booking/housing.**

CMS recommends close collaboration with the Sheriff's Department to provide plans which facilitate an efficient and safe medical/mental health triage and booking process, designing adequate space in a flow plan that eliminates redundant movement and unnecessary time lapses for those detained.

**4. Rapid inmate and medical staff access and egress to and from mods, buildings, and medical areas.**

Critical points for rapid access to and from medical areas are: booking area; CTC and infirmary areas; entrances into mods and mod cells; elevators for gurney access in times of emergency.

**5. Physical, audio and visual accessibility for medical staff to inmates requiring skilled nursing care**

**6. Appropriate medical environment, ie, medical beds and equipment, wall oxygen, IV capability, etc.**

7. X-ray screening for tuberculosis at intake

**9. Are there any foreseeable constraints in service in terms of phasing?**

Yes. It is not advised that inmates requiring infirmary or CTC care (sub-acute licensed care) be housed at Musick during Phase I and up to the completion of Phase II. The need for a significant increase of support services, ie, lab, in-patient access, equipment, staffing, without a complimentary number of additional inmates precludes this program addition at Phase I.

**10. For any impact analysis, please identify phasing considerations if important to your answer.**

See 9. above.


The need for support and contract services will need to be sufficiently addressed to adequately maintain a jail project of this magnitude. Those services are acute inpatient hospitalization, specialty clinics, and emergency room services; public health services to include pulmonary disease and contagious diseases; medical supplies, storage space and delivery services; radiological and laboratory services. Depending upon trends, hospice care may be of consideration.

CMS and CMH plan to begin adding administrative staff prior to the completion of Phase II and after implementation of Phase I. This will assure on-site staff capable of coordinating the final planning and design decisions, ie, interior furnishing and equipment, policies and procedures prior to program implementation, and interface with Sheriff's Department management and planning personnel.



June 24, 1996

TO: Assist. Sheriff Jerry Krans  
Sheriff's Department

FROM: Ann Sousa   
HCA/CMS Program Manager

SUBJECT: Correctional Medical/Mental Health Services Staffing  
Pattern for the James A. Musick Facility Project

Per your request, the following is the projection for staff numbers per shift  
for the above planned project:

PHASE I	DAYS 0630	PM 1430	NITES 2230
CMS	30	13	7
CMH	<u>7</u> 37	<u>5</u> 18	<u>1</u> 8

TOTAL: 63

PHASE II	DAYS 0630	PM 1430	NITES 2230
CMS	14		
CMH	<u>16</u> 30		

Admin: Monday through Friday

SUB-TOTAL: 30

CMS	53	17	9
CMH	<u>23</u> 76	<u>8</u> 25	<u>3</u> 12

SUB-TOTAL: 113

TOTAL: 143

PHASE I AND II/TOTAL: 206

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PHASE	III DAYS	P M	NITES
	0630	1430	2230

(SNIF Staffing)

CMS	18	11	10
CMH	<u>22</u>	<u>20</u>	<u>17</u>
	40	31	27

SUB-TOTAL: 98

PHASE I, II AND III/GRAND TOTAL: 304

Should you need other information, please do not hesitate to contact Frank Madrigal, CMH Program Manager at 834-5708 or myself at 4170.

cc: Herb Rosenzweig  
Ernest R. Williams, MD  
Frank Madrigal, CMH  
Nick Vainas  
Flo Brown

002233





**COUNTY OF ORANGE  
HEALTH CARE AGENCY**

**Behavioral Health Care  
Children & Youth Services**

**TOM URAM**  
DIRECTOR

**TIMOTHY P. MULLINS**  
DIRECTOR

**BERNARD RAPPAPORT**  
DEPUTY DIRECTOR

MAILING ADDRESS:  
405 W. 5TH STREET, 5TH FLOOR  
SANTA ANA, CA 92701

TELEPHONE: (714) 834-5572  
FAX: (714) 834-4595

July 23, 1996

Culbertson, Adams & Associates  
Planning Consultants  
85 Argonaut, Suite 220  
Aliso Viejo, CA 92656

Attn: Ms. Adriette Culbertson:

Enclosed please find responses to the ten questions in your Project Description and Notice of Preparation for the new Musick Facility, dated June 26, 1996.

My responses relate to the anticipated displacement of the Interim Care Facility from its current location in the city of Orange (as a result of the Theo Lacy Expansion) to the Musick Facility in the unincorporated area of the County of Orange (adjacent to the cities of Irvine and Lake Forest).

Your enclosed information is rather unclear as to the intent of the planners regarding the phasing of the ICF at Musick. The most pragmatic phasing would appear to be to first build the new Interim Care Facility and then demolish the old. While this item is covered in depth in my enclosed response, I am also noting it in this cover memo.

Your proposal places the construction of the Interim Care Facility in phase III of the proposed project. If the current ICF is demolished without having a replacement facility ready for occupancy at the Musick site (or another acceptable location), our sister agencies (the Probation Department and the Social Services Agency) will be forced to temporarily remove the Wards and dependents now placed at the ICF, thereby severely curtailing therapeutic services currently provided to this population at a critical time in their lives (these

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adolescents are currently placed in the care of New Alternatives, a Group Home operator, with mental health services provided by my staff, with offices immediately adjacent to the group home). Perhaps equally detrimental, should the current ICF be demolished without a replacement facility first being in place, will be to add to the severe overcrowding now being experienced in other placement facilities, and/or at Juvenile Hall and Orangewood (as many of the ICF patients are very difficult, if not impossible, to place).

Please call me if I could answer any questions regarding my enclosed responses, or if I could provide input into the planning process for a replacement ICF. I can be reached at 834-5504.

Thank you.



V. John Iagjian, MPA  
Program Manager II,  
Children & Youth Services

Enclosure

cc: Timothy P. Mullins, Director, Behavioral Health Care  
Bernard Rappaport, MD, Deputy Director, MH/CYS  
Jerry Krans, Assistant Sheriff, O. C. Sheriff's Department  
Bruce Malloy, Executive Director, Juvenile Justice Commission  
Bill Brooks, Director, Juvenile Supervision Division, Probation Department  
Mary Harris, Deputy Director, Social Services Agency  
Jane Carmichael, RN, MFCC, Service Chief, CEGU, Children & Youth Services  
Jeff Corp, Senior Probation Officer, Placement Unit, Probation Department  
Phyllis Dunaway, Supervising Probation Officer  
Placement Unit, Probation Department  
Mary Ellen Fuelleman, Program Support Manager, Behavioral Health Care  
Razmig Madenlian, PhD, Service Chief II, CEGU  
Frank Madrigal, Program Manager, Correctional Mental Health, Behavioral Health Care  
Sondra Nelson, Program Manager, SSA/Orangewood  
David Riley, Manager, HCA/Financial/Program Services, Health Care Agency

002235

## ***SERVICE AVAILABILITY/CAPACITY INFORMATION REQUEST***

***1. What types of service do you provide to the project area?***

Intensive mental health treatment (individual, family and group) to severely disturbed children/adolescents. Crisis intervention is provided when needed. There is also close working relationships with group home and school staff to provide consultation, recommendations and coordination of their treatment, as well as with the deputy probation officers and social workers assigned to these children/adolescents. Psychiatric services are also provided, and this is an integral part of the multi-disciplinary care provided at this facility. ICF specializes in treating the untreatable. The patients there have had multiple placement failures in other facilities, and more often than not have been rejected by other facilities.

***2. Where are the locations of the facilities, distances, and response time (if applicable) to the project area and project site?***

The current Interim Care Facility (ICF) site is located at 487 City Drive South, Orange. Senior social workers and deputy probation officers who must regularly monitor the children/adolescents, attend case conferences and attend to other issues, sometimes urgent ones, will have a 40 minute drive each way to do so. The mental health service chief who supervises two programs will also have to travel both ways multiple times each week. Supervisory and other management staff from Social Services, Probation, Education and Mental Health also have various weekly and monthly meetings there. There are also needs to remove children/adolescents to Juvenile Hall and Orangewood, and to take them for medical care, also located in Orange. All of these will require significant staff travel time, as the primary work assignment of Senior Social Workers, Deputy Probation Officers, etc., will remain in the City of Orange.

***3. What is the available capacity for the facilities or services in the project area and project site?***

The current capacity is for 24 children/adolescents in an open bed, unsecured, environment. The facility is always at capacity. There have been plans for expansion beyond the current 24 beds, to a 40 bed facility, by adding 16 locked beds which will have the potential to be converted to a secure, locked unit when State regulations permit. This EIR proposal addresses only 24 beds. This could present a problem, given the current needs for open and closed placement beds for these children/adolescents.

***4. Are there any current facility or service expansion plans for the project area and/or project site?***

As already stated, there are expansion plans, and therefore it is hoped the project site could accommodate the expansion of an additional 16 closed beds to the current 24 open bed treatment facility to be replaced at the new Musick facility site.

***5. Will the project negatively impact any current facility or service expansion plans for the project site and/or project area?***

The project will negatively impact the current program/facility by the distance from offices located in the city of Orange with which ICF does business and by not being able to expand at the current facility (in Orange), if that is the case. However, while not ideal, this proposal does replace the ICF at the Musick site, and with appropriate planning and coordination among user agencies, I believe this program will be workable at the proposed site.

**6. *Will the project negatively impact current services?***

The most negative impact regarding the proposed Musick site could be, perhaps, in not being able to obtain state licensing due to the site's approximation to an adult jail. Without licensing, the program could not exist. From the perspective of a Children's Mental Health treatment facility, this also is not the most ideal site, even if it can be licensed, being in the yard of a jail facility, unless measures are taken during the initial planning stages to ensure a secure and tranquil environment, secluded and apart from an adult jail atmosphere, with adequate recreation space for the children/adolescents. Obviously, however, we would rather have the ICF facility, as proposed in this EIR response, at the new Musick site, than not at all at the current site in Orange; but as indicated, there are significant issues which must be dealt with and overcome to rebuild this very much needed, and , hopefully, expanded ICF facility, for severely emotionally disturbed wards and dependents. HCA MH/CYS, SSA Children's Services, the Probation Department and the Department of Education stand ready to assist the consultant and the Sheriff's Department in resolving and overcoming the problems mentioned in this response in order to serve the Mental Health needs of this important and often neglected children/adolescent population.

**7. *Will the project necessitate additional facilities or staff? If so, please describe what additional facilities (including size and location) and/or staff that would be needed.***

If the program is allowed to expand, there would be a need for both additional facilities and staff. The facility would have to almost double in size from its current size, and provide ancillary services. There would need to be a larger outdoor area as well, for large muscle exercise and group activities. Additional mental health offices would need to be added to house the staff needed to provide therapy to the increased number of minors.

**8. *Are there any foreseeable problems in serving the entire project?***

The problems already listed —location next to jail, major travel time for many staff, the lack of accessibility to Juvenile Hall and Orangewood, the need to be able to expand and the need and uncertainty of licensure— are the significant ones. The other main issue is that the phasing of the rebuilding and demolition would have to be reversed from what is described in this EIR. It would appear that the new ICF needs to be build first on the Musick site, if that is what is to be, and then the old ICF demolished. Please see further elaboration of this issue in answer #9 below.

**9. *Are there any foreseeable constraints in service in terms of phasing?***

Yes. The new facility must be completed and occupied by ICF prior to demolition. The children/adolescents cannot be temporarily moved to various other facilities as this would significantly curtail services and add to severe overcrowding in other facilities.

**10. *For any impact analysis, please identify phasing considerations if important to your answer.***  
See number 9 above.